

The Law Office of Paula J. Notari
125 Park Avenue, 8th Floor
New York, New York 10017
Tel. (646) 943- 2172

May 31, 2023

BY ECF and Email

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Bevan Cooney, SI 16 Cr. 371 (RA)

Dear Judge Abrams:

I write on behalf of Bevan Cooney, the defendant in the above-captioned matter. In accordance with this Court's Individual Rule of Practice and Fed. R. Crim. P. 49.1(e)(1), we write to request leave to redact certain portions of Mr. Cooney's motion to modify conditions of his supervised release and supporting exhibits in support of his motion under seal because they detail sensitive information. *See Under Seal v. Under Seal*, 273 F. Supp. 3d 460, 467 (S.D.N.Y. 2017) ("A party may overcome the presumption of access by demonstrating that sealing will further other substantial interests such as a third party's personal privacy interests, the public safety, or preservation of attorney- client privilege.") (citing *United States v. Aref*, 533 F.3d 72, 83 (2d Cir. 2008)).

Specifically, the motion to terminate supervised release includes personal information concerning the health of Mr. Cooney's elderly father, his current wife and the sensitive information pertaining to Mr. Cooney's minor children, his former wife and her current husband. *See United States v. Doe*, 63 F.3d 121, 128 (2d Cir. 1995) (danger to person may be compelling reason to override public's right of access in courtroom closure context); *United States v. Amodeo*, 71 F.3d 1044, 1050-51 (2d Cir. 1995) (privacy interests of third parties may be compelling reason justifying sealing).

Additionally, Mr. Cooney's exhibits A includes private correspondence with Mr. Cooney's probation officer. Exhibits B, C, D, E and F include medical documentation about Mr. Cooney's father, and information pertaining to his minor children based on confidential family court and criminal court records pertaining to third parties not related to Mr. Cooney's case before this Court. Please note that defense exhibits G and H have already been filed on the public docket in Mr. Cooney's underlying case and are included here for the Court's convenience. Finally, an unredacted version of this motion and referenced exhibits have been sent to the government and chambers for review.

Respectfully yours,

/S/

Paula J. Notari

cc: Negar Tekeei, Asst. U.S. Attorney (SDNY)